IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE SWC Sunnyking Drive at

Sunnydale Way 100 Sunnyking Drive 4th Election District 3rd Councilmanic District \* BEFORE THE

\* ZONING COMMISSIONER \* OF BALTIMORE COUNTY

\* Case No. 92-13-A Bernard Stiffler, et ux Petitioners

\* \* \* \* \* \* \* \* \* \*

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool) on a corner lot to be located in the portion nearest the street in lieu of the third of the lot farthest removed from any street, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Relation of County 1991 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool) on a corner lot to be located in the portion nearest the street in lieu of the third of the lot farthest removed from any street, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

> > Zoning Commissioner

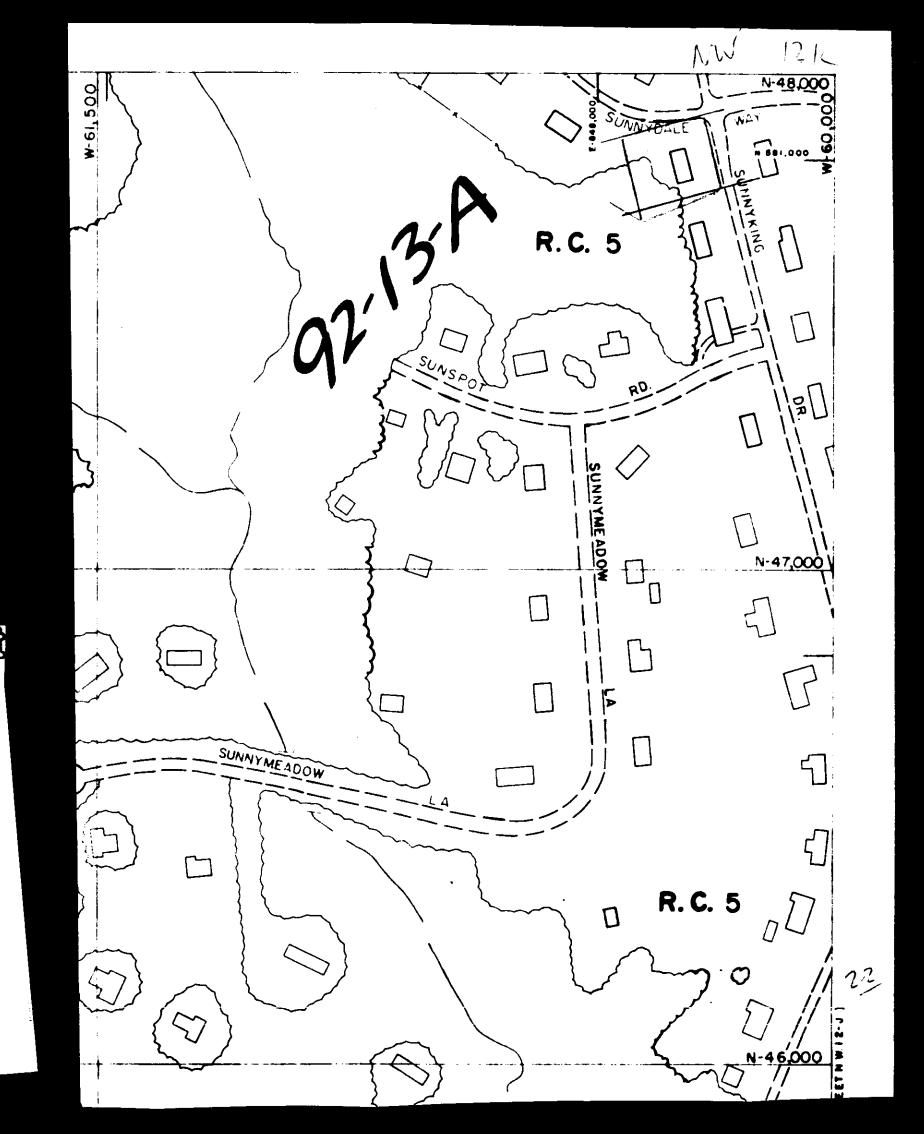
for Baltimore County

Beginning at a point on the West side of Jumpking Drive which 15 50 ft. wile at the south on a of the nearest improved interpreting is 70 ft. wite at the south on . n of the henrest improved intersecting street, Surnylaie Way which is the ft. wile. \*Being Lot #3, Block C, section #5 in the sublivision of Sunnylabok Fains as recorded to beltimore County Plat Book # 22, Folio #80, containing approximately in beltimore County Plat Book # 22, Folio #80. Los dragking Drive and located in the #4 Election District. Sed Councilman District.

92-13-A

"你说话,这一样说明,我就会来说我是 9.35. 10 THIS IN THE SURFIELD OF STREET AS INTO A SECOND STREET 150 d. 1 360 (100) CONTRACTOR OF STREET

> U4 AU 4 WU 1 3 UNI CHRC Please Make Checks Payable To: Baltimore County 01:51FM07-17-91



## PETITION FOR RESIDENTIAL VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is descr the description and plat attached hereto and made a part hereof, petition for a Variance from Section

400.1 To allow an accessory structure (pool) on a corner lot to be located in the portion nearest the street in lieu of the third of the lot farthest removed from any street.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty)

Due to location of septic reserve area, pool cannot be located in required portion of

rear yard.

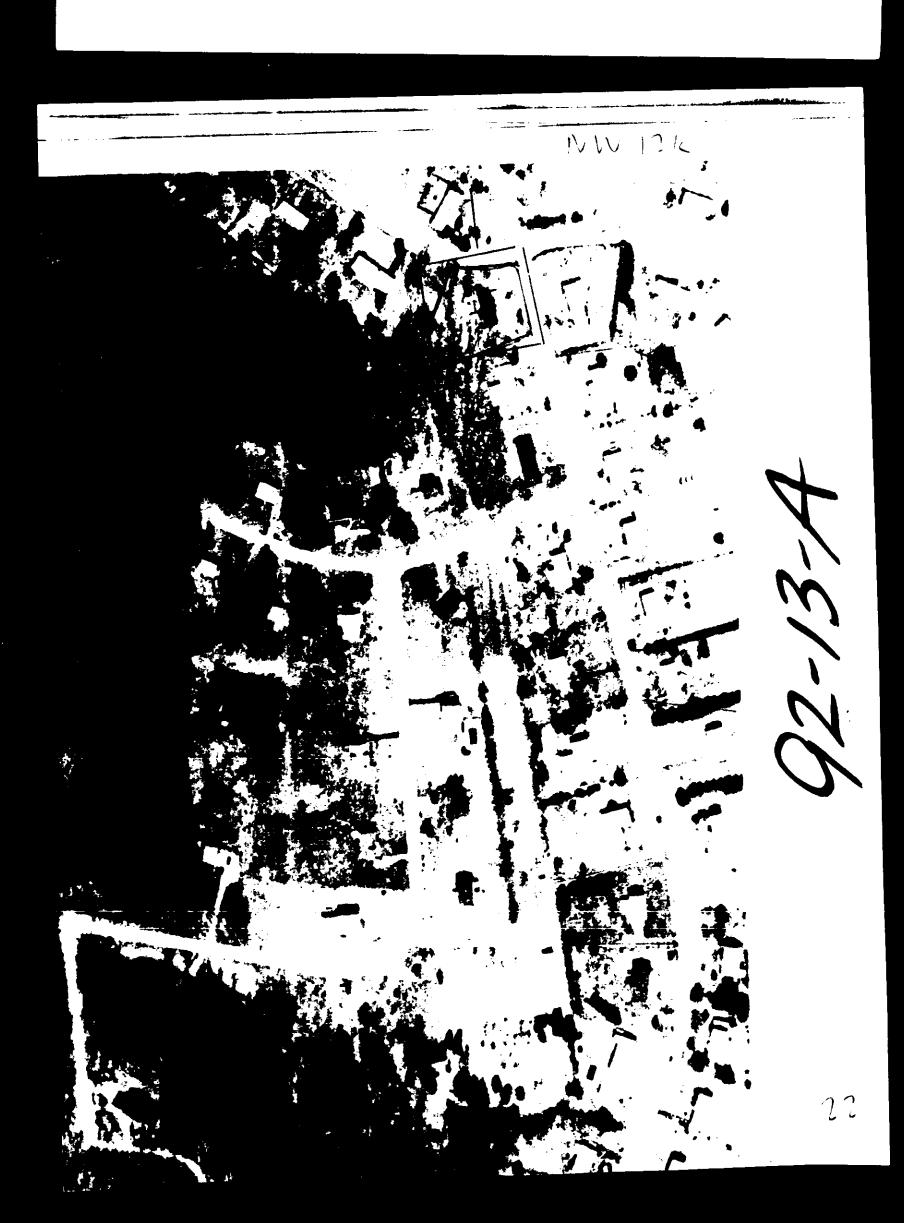
Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning law for Baltimore County.

		I/we do solemnly declare and affirm, under the
	/	penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of
0	MAP NW 21-	this Petition.
Contract Purchasers		Legal Owner(s):
(Type or Print Name)	E.D. 7/6	(Type or Print Name)
	April 2000	Nast Jakta
Signature		Signature
Address	1200 -172-1	Bernard St. Str
	1000	7 A.DQ
Clty/State/21p Code	iDP .	Signature
Attorney for Petitioner:		
		100 Sunny King Dr 833-8253
(Type or Print Name)	<del></del>	Address 1 J Phone
Signature	<del></del>	Ceisterstean, No. 21136
		City/State/Lip 6000
Address		Name, address and phone number of legal owner, contract
		purchaser or representative to be contacted.
Attornay's telephone exphar	<del></del>	Namo
		Address Phone
DROEFFO by the Zoning Commissioner of Balt	imore County, this	day of, 19, that the subject matter of this
petition be posted on the property on or before the		
		,
		<u> </u>
		, ZOHING COTTISSIONER OF BALTIMONE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED. IT IS FURTHER DRUERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_, that the subject matter of this patition be advertised, as required by the Zoning Law of Baltimore County, in two newspopers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County.

ZONING COTTISSIONER OF BALTIMURE COUNTY



cial Hearing

92-13-A The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of 187/are competent to testify thereto in the event that a public hearing is scheduled in the future with

Saltimore Sounty, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s)

That the Affiant(s) does/do presently reside at 100 Sunny King Di

That based upon personal knowledge, the following are the facts upon which I/we base the request tor a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) TO CONSTRUCT AROUS Ground wat in alosest third of lot to side street. The seption septie reserve are emecaposs the left side of lot there sere prohibiting the pool there

But Mitte AFFIANT (Handwritten Signature) Gail Stiffer AFFIANT (Frinted Name)

regard thereto.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a

repeating and advertising fee and may be required to provide additional information.

Bungrd Stiffer

STATE OF MADULAND, SHIMP OF CALLTINAR, IC WIL.

Nothing outside of the State of Maryland, in and for the County aforesaid, personally appeared

tic Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made stillicate form of law that the matters and facts hereinabove set forth are true and dorrect to the best this her/their knowledge and belief.

AS WITNESS my hand and Notaria: Seal.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

August 8, 1991

Mr. & Mrs. Bernard Stisler 100 Sunnyking Drive Reisterstown, MD 21136

RE: Item No. 22, Case No. 92-13-A Petitioner: Bernard Stisler, et ux Petition for Residential Variance

Dear Mr. & Mrs. Stisler:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED:jw

Enclosures

and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this

Baltimore County Government Office of Zoning Administration

Petitioner: Bernard Stisler, et ux Petitioner's Attorney:

17th day of July, 1991.

CASE NUMBER PETITIONER'S EXHIBIT# 3

7/14/91

Baltimore County 110 West Chespeake Ave Towson, Maryland 21304

RE: 100 Sunnyking brive Reisterstown, Maryland 210 o

To Whom It May Concerns

I have no objection to the construction of the above ground pool in the rear yard of the above address as shown on the attached site plan.

526-5162

PETITIONER'S EXHIBIT#

Baltimore County 110 West Chespeake Ave Towson, Maryland 21204

RE: 100 Sunnyking Drive Reisterstown, Maryland 21136

To Whom It May Concern:

I have no objection to the construction of the above ground pool in the rear yard of the above address as shown on the attached site plan

12 Sunmy Dale Way Reisterstown, Md. 21136

Reisessen, MD 21136

PETITIONER'S EXHIBIT# 2

BALT MORE COUNTY, MARY AND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

SUBJECT: Zoning Item #22, Zoning Advisory Committee Meeting of July 30, 1991, Bernard Stifler, et ux, SWC Sunnyking Drive at Sunnydale Way (#100 Sunnyking Drive), D-4, Private Water

Any permanent structure must be a minimum of 20 feet from the septic

Zoning Commissioner

and Sewer

COMMENTS ARE AS FOLLOWS:

system or septic reserve area.

\\ SSF:rmp

22ZNG/GWRMK

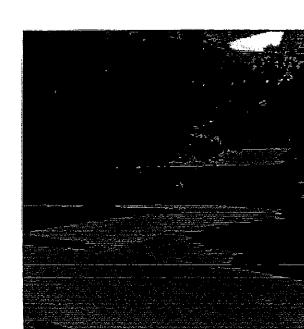
Office of Planning and Zoning

DIVISION OF GROUND WATER MANAGEMENT

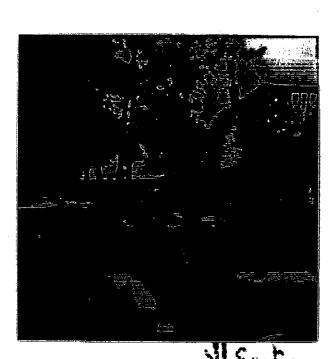
INTER-OFFICE CORRESPONDENCE

July 25, 1991

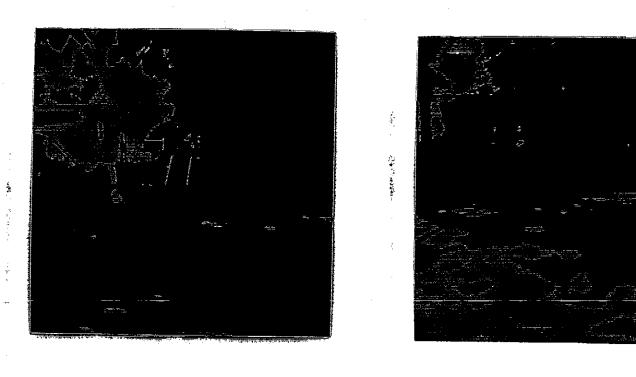
ZONING OFFICE



100 bunnylong boile.



Sidevices



BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 1, 1991 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for July 30, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 505, 3, 7, 9, 10, 17, 18, 19, 21, 22, 23, 24, 27, 30 and 31.

For Item 20, the extension of public water, sewer and paving may be required, prior to issuance of a building permit for this lot.

For Item 26, the previous County Review Group comments are still applicable.

Developers Engineering Division

RWB: 6

92-12-A 8/11/91

869.92

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE AUGUST 15, 1991

ZONING COMMISSIONER, DEPARTMENT ZONING RICHARD F. SEIM, PLANS REVIEW CHIEF,

SUBJECT:

DEPARTMENT OF PERMITS & LICENSES ZONING ITEM #: 22

PROPERTY OWNER: Bernard Stifler, et ux

LOCATION: SWC Sunnyking Drive at Sunnydale Way (#100 Sunnyking Drive) ELECTION DISTRICT: 4th COUNCILMANIC DISTRICT: 3rd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE

( ) PARKING LOCATION ( ) NUMBER PARKING SPACES ( ) BUILDING ACCESS

( ) RAMPS (degree slope) ( ) CURB CUTS ( ) SIGNAGE

SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE. ( A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN.

SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

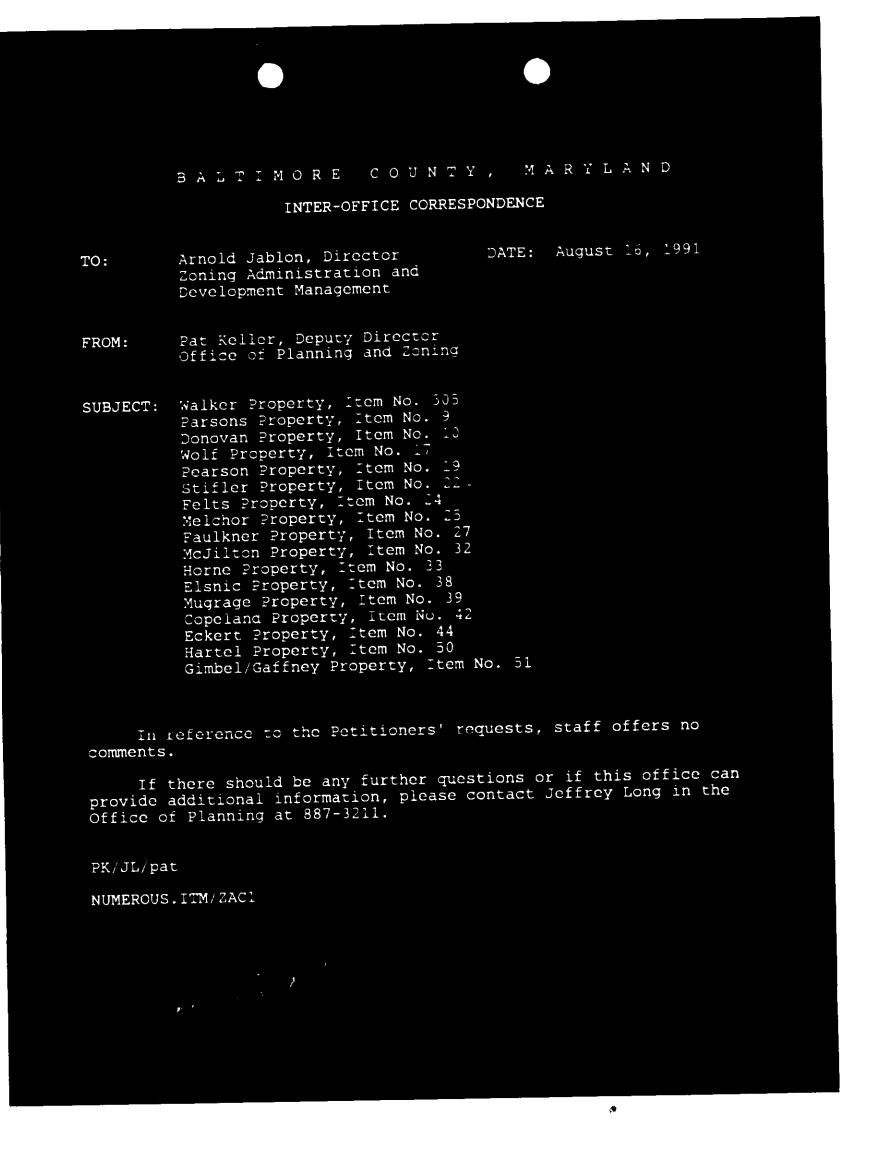
( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

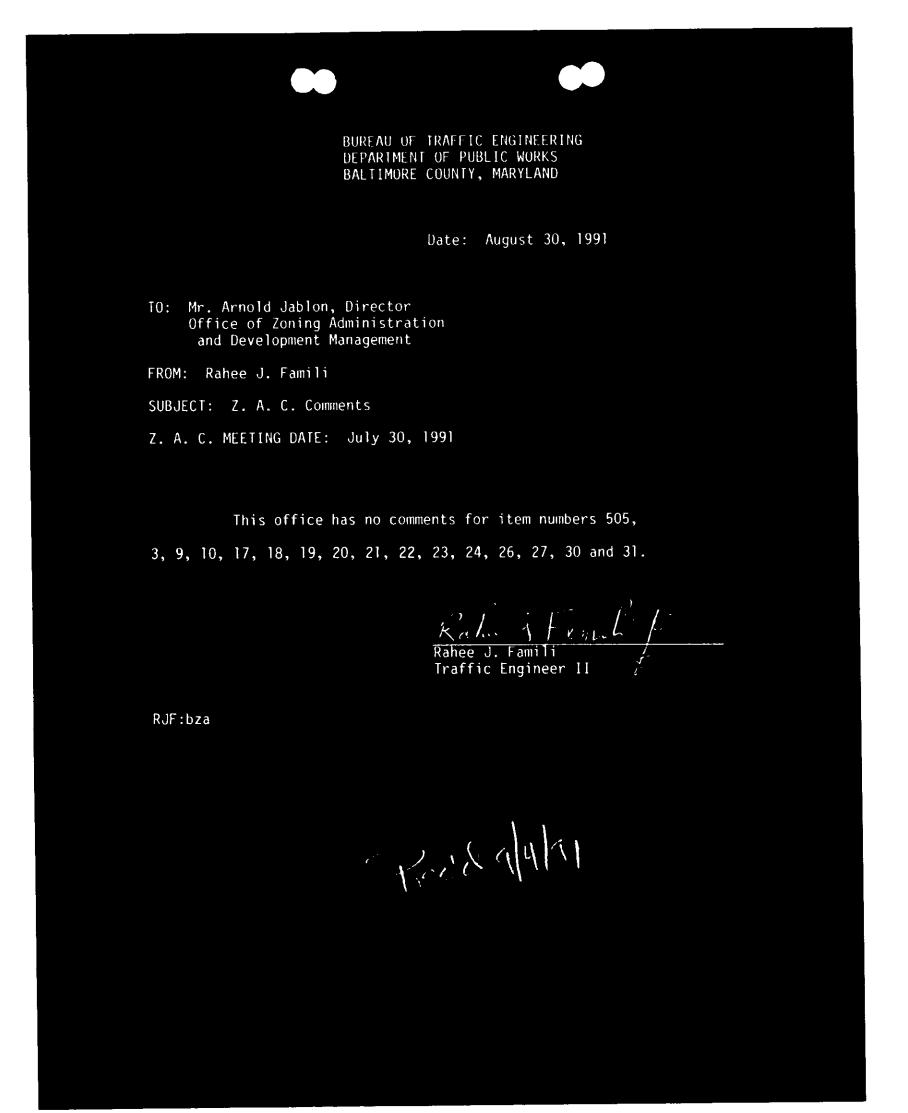
( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 ( BALTIMORE COUNTY BUILDING CODE).

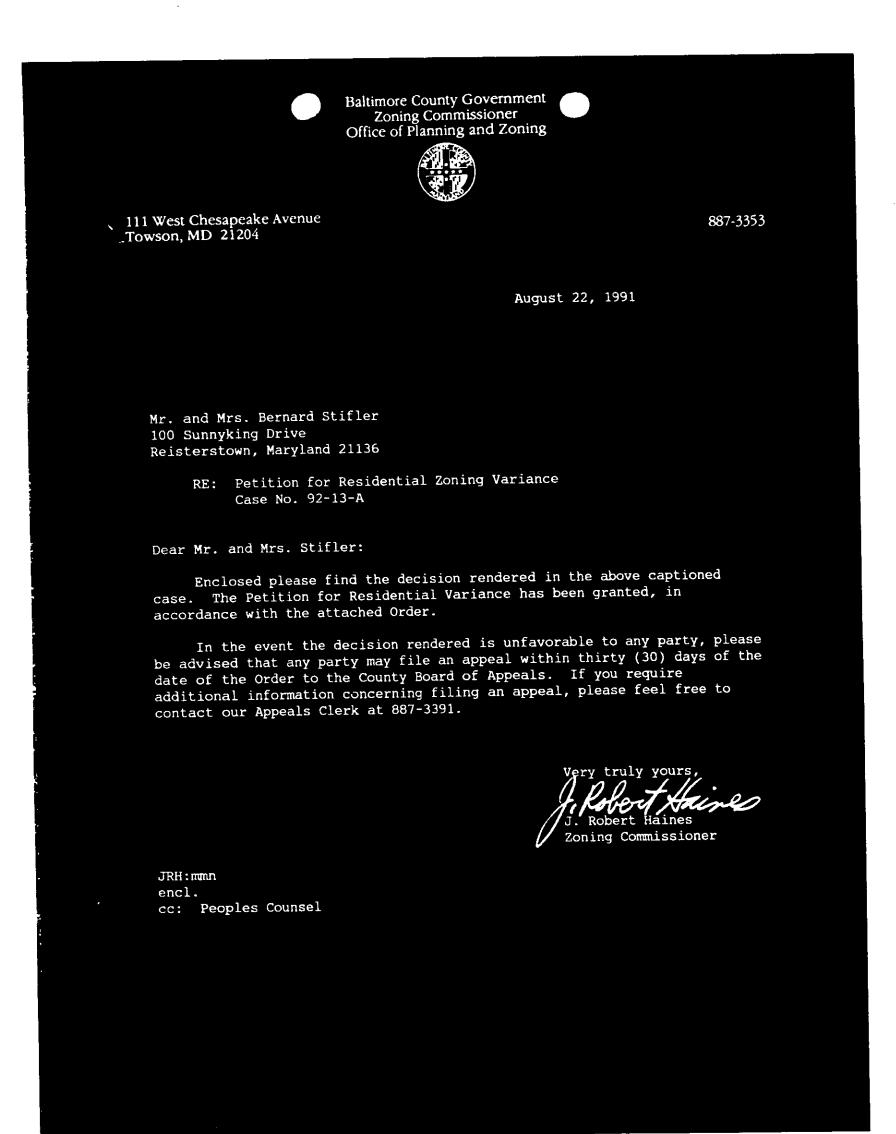
( ) OTHER -

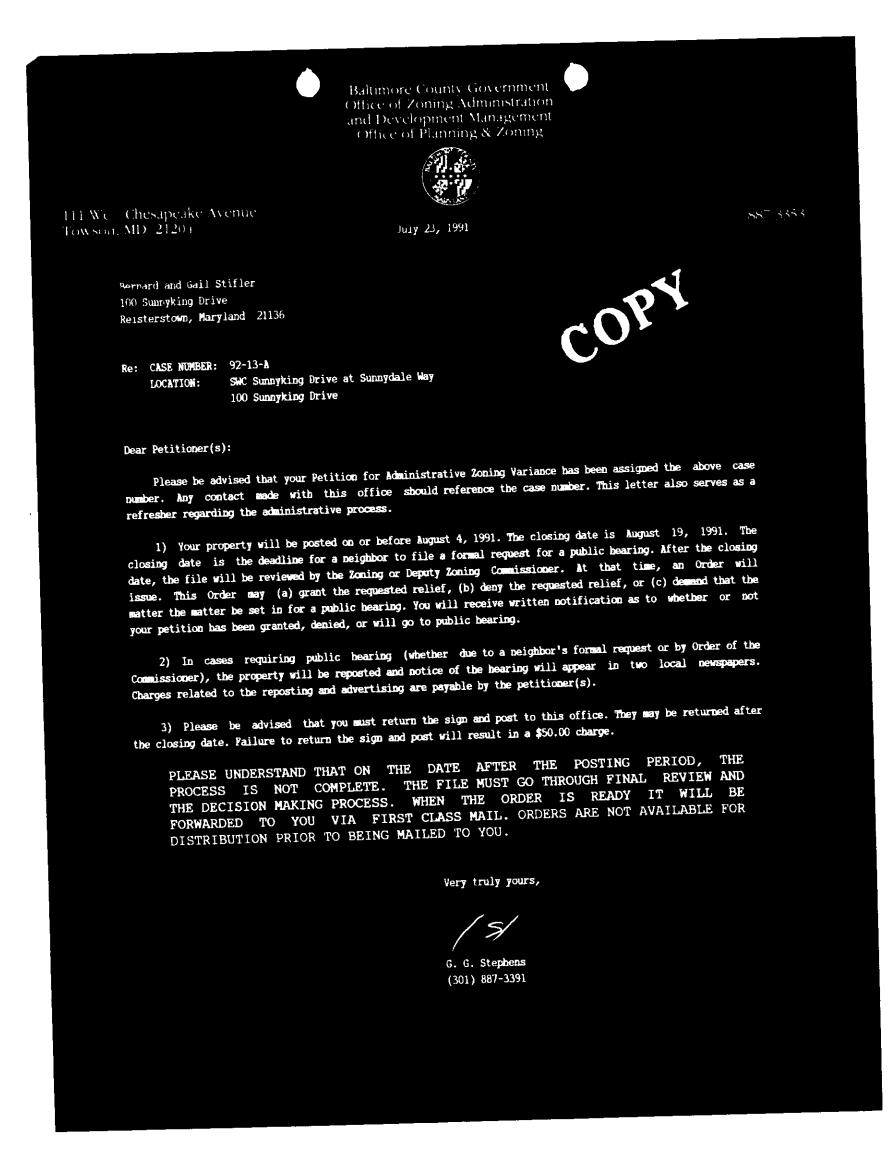
PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 RFFECTIVE 1/13/91









	CERTIFICATE	OF POSTING
		OF BALTIMORE COUNTY Maryland
District		P.2 122
Posted for:		Date of Posting Surfage
Petitioner:	arrived to	in July Som
Location of property:	MC million	my Drug Roll Surrydo
/ / /		
Location of Signe:	The Contract of the Contract o	The and the of Driver
***************************************	and the state of t	Marchite to Dayle
Remarks:	************	
Posted by		
	Section 1	
Sumber of Signe:		Date of return